



**U.S. Immigration
and Customs
Enforcement**

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News Release

Dearborn doctor indicted for healthcare and immigration fraud

DETROIT — A federal grand jury's 40-count indictment against a Dearborn doctor was unsealed Friday, announced U.S. Attorney Stephen J. Murphy, Eastern District of Michigan. The case was investigated by U.S. Immigration and Customs Enforcement (ICE) and other federal agencies.

Dr. Ali S. Makki, 46, was charged with over-billing Medicare more than \$500,000 for unnecessary medical tests, falsifying medical records submitted in response to a Medicare audit, and providing false medical records to more than 500 "green card" applicants.

The 40-count indictment also charged Makki with immigration fraud for providing two immigrants who tested positive for syphilis with "negative" test results, with helping aliens obtain citizenship by signing false medical waivers, and with illegally dispensing prescriptions for controlled substances without a medical purpose.

Makki was arrested early Friday afternoon by agents from: ICE, the FBI, Health and Human Services Office of Inspector General, and the Internal Revenue Service (IRS). His arrest took place at Detroit Metropolitan airport after he got off a flight from his native Lebanon by way of Paris. His arrest culminated a two-year investigation by those agencies.

"This multi-agency investigation of a doctor accused of cheating Medicare and lying to federal immigration officials about hundreds of immigrants and their medical status, is an example of the excellent kind of teamwork that can occur in federal law enforcement when agencies work together," Murphy said. "This kind of fraud will not be tolerated."

Murphy was joined in the announcement by Brian M. Moskowitz, special agent-in-charge of the ICE's Office of Investigations in Detroit; Daniel D. Roberts, FBI special agent in charge; and David Krupnick, special agent in charge of Health and Human Services of Office of the Inspector General ("HHS-OIG").

The United States plans to seek detention of Dr. Makki pending trial as a flight risk.

The indictment alleges that Dr. Makki billed Medicare for the following: office visits when he was outside the state of Michigan, complicated surgical procedures he never performed, and for thousands of medical tests that were not medically necessary and were repeatedly ordered despite negative or normal tests. These three health care fraud counts carry a maximum punishment of 10 years in prison and a \$250,000 fine.

Makki was also charged with:

- 12 counts of making false statements related to a health care matter when he submitted 12 medical records in response to an audit in which he either created progress reports that were not in the patients' original records and either inflated or made up blood pressure readings two to three years after a patient's visit;
- nine counts of illegal distribution of controlled substances without a legitimate medical purpose based on allegations that he sold more than 476 prescriptions to an addicted individual who paid Makki between \$55 and \$60 cash for each prescription on 246 visits to his office during a 19-month period;
- two counts of making false statements on immigration documents when he filled out identical "medical waivers" for two Lebanese women seeking to obtain citizenship without having to take the English-language and civics tests. Makki claimed under oath that both women had been severely depressed and had worked for more than 40 years as "stevedores" in Lebanon before immigrating to the United States, even though both women were in their 50s and had never been employed outside the home;
- five counts of making false statements to the Immigration and Naturalization Service when he allegedly ordered employees to fill out medical records claiming that Makki had thoroughly examined the immigrants for 16 serious medical conditions, even though he was outside the state of Michigan at the time of their visits to his office;
- two counts of making false statements to the Immigration and Naturalization Service when he allegedly provided two "green card" applicants with medical exam certifications that reported they had tested "non-reactive" to syphilis when both had tested positive for the venereal disease. In one case, the indictment alleges Makki's "employees had difficulty locating the immigrant ... thus putting the public's health at risk;"
- five counts of making false statements to the Immigration and Naturalization Service when he allegedly received a total of more than \$76,800 to provide more than 512 "green card" applicants with medical exam certifications that reported they were "non-reactive" for the tuberculosis skin test, when his office did not give any of the immigrants the skin test;
- In the final count, the Government is seeking forfeiture of more than \$75,000 in cash that was seized from Dr. Makki during the execution of a search warrant at his home in July 2004.

ICE SAC Moskowitz said: “ICE will aggressively pursue individuals and organizations that circumvent the legal procedures in place to obtain immigration-related benefits, especially when those procedures are in place to protect the safety and health of individuals living in the United States.”

HHS-OIG Acting SAC Thomas Spokaeski added, “Today’s arrest sends a clear message that people who defraud Medicare will be investigated vigorously and prosecuted to the fullest extent of the law.”

SAC Roberts said, “Health Care Fraud is a multi billion dollar program, costing every taxpayer significant amounts of money and, in some cases, jeopardizing the health and safety of patients. Simply put, it is a criminal crisis which affects all parts of our country and all segments of our economy. The FBI remains committed to aggressively pursuing all cases and expending the resources to combat health care fraud.”

A detention hearing for Makki is scheduled for June 26.

Assistant U.S. Attorney James Mitzelfeld, Eastern District of Michigan, is prosecuting the case.

An indictment is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt.

ICE

U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.